

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Michael J. Picciallo**Serial No.: **09/478,051**Examiner: **Malinowski**Filed: **January 15, 2000**Group Art Unit: **2164**

For:

THIRD PARTY CREDIT ACCOUNTAttorney Docket No.: **P22,425B-USA**CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence, along with any paper indicated as being enclosed, are being sent via facsimile addressed to: commissioner for Patents, Washington, D.C. 20231, at (703)308-9051 on April 9, 2001.

Date: April 9, 2001

Denise M. Porreca
Denise M. Porreca

Commissioner for Patents
Washington, DC 20231

TERMINAL DISCLAIMER

Michael J. Picciallo of 2 North Sussex Street, Dover, NJ 07801, being the sole inventor of and owner of the entire right, title and interest in the instant application, hereby disclaims, except as provided below the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to 156 and 173 of U.S. Patent No. 6,044,360 (the '360 patent). The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the '360 patent are commonly owned.

Michael J. Picciallo is the owner of the entire right, title and interest in the instant application by virtue of being the sole independent inventor and not transferring his ownership rights. Michael J. Picciallo is also the owner of the entire right, title and interest of the '360 patent by virtue of being the sole independent inventor and not transferring his ownership rights.

This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

Applicant(s): Michael J. Picciallo
Application No: 09/478,051
Page 2

Docket No.: P22,425B-USA

In making the above disclaimer, the disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of the '360 patent in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Please charge the \$55.00 Statutory Disclaimer fee to Applicant's Deposit Account No. 19-5425.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under § 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



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Dated: March 14, 2001

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